

REMARKS

I. Status of the Application

In response to the Notice of Non-Compliant Amendment of July 17, 2007, Applicant has deleted the text of cancelled claims 14, 22, and 25.

Claims were pending in this application as of the January 18, 2007 Office action. In the January 18, 2007 Office action, the examiner rejected claims 1-25 under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 6,371,958 to Overaker (hereinafter "Overaker"). In addition, the examiner rejected claims 1-7 under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent Application Publication No. 2002/0119177 to Bowman et al (hereinafter, "Bowman").

In this response, applicants have amended claims 1, 8, 18, 21, 23 and 24. Applicants have also cancelled claims 14, 22 and 25 and added new claims 26-28. Support for the amendments to claims 1, 8 and 18 may be found in the specification at page 16, line 19 to page 17, line 9, describing figures 12 and 13. Support for new claim 26 may be found in the specification at page 19, line 18 to page 21, line 2 with reference to figures 21-24. Support for new claim 27 may be found in the specification at page 16, lines 1-18 with reference to figures 10 and 11. Support for new claim 28 may be found in the specification at page 14, lines 13-19 with reference to figures 3-6. Applicants respectfully request reconsideration of pending claims 1-13, 15-21, 23, 24 and 26-28, in view of the foregoing amendments and the following remarks.

II. Claims 1, 8 and 18

In the April 28, 2004 office action, the examiner rejected claims 1, 8 and 18 under

35 U.S.C. § 102(b) as being anticipated by Overaker. The examiner also rejected claim 1 under 35 U.S.C. § 102(b) as being anticipated by Bowman.

Claims 1, 8 and 18 have each been amended to include the limitation that “the first plate includes a dome portion defining a convex articulating surface.” Support for these amendments is set forth in the specification, including the portion of the specification starting with page 16, line 19 and ending with page 17, line 9, describing figures 12 and 13.

Neither Overaker nor the Bowman discloses all the limitations of claims 1, 8 and 18. For example, neither Overaker nor Bowman disclose a first plate that “includes a dome portion defining a convex articulating surface” as set forth in each of amended claims 1, 16 and 19. Instead, as shown in Fig. 1 and 2 of Overaker, the load support 12 has an upper surface 12a that is substantially flat with a plurality of perforations 22. Bowman also shows a flat top surface 18 (see Fig. 1 of Bowman).

For at least the reasons discussed above, neither Overaker nor Bowman disclose all limitations of claims 1, 8 and 18 of the present application. Accordingly, it is respectfully submitted that claims 1, 8 and 18 are allowable and the examiner’s rejection of claims 1, 8 and 18 as anticipated by Overaker and/or Bowman under 35 U.S.C. § 102(b) should be withdrawn.

III. Dependent Claims 2, 18 and 20-23

Dependent claims 2-7, 9-13, 15-17, 19-21, 23, 24 and 26-28 depend from and incorporate all the limitations of one of allowable independent claims 1, 8, or 18. Accordingly, it is respectfully submitted that dependent claims 2-7, 9-13, 15-17, 19-21, 23, 24 and 26-28 are also allowable for at least the same reasons the independent claims 1, 8 and 18 are allowable. However, claims 2-7, 9-13, 15-17, 19-21, 23, 24 and 26-28 are also allowable for other reasons.

For example, dependent claim 26 states that “each of said load transfer supports includes an attachment structure configured to be twist locked into receiving bores in the upper plate or the lower plate”. Neither Overaker nor Bowman discloses such a twist lock configuration.

Dependent claim 27 includes another limitation disclosed in neither Overaker nor Bowman. In particular, dependent claim 27 states that the plurality of load transfer supports “include a plurality of walls extending radially from said lower center bore.” Neither Overaker nor Bowman discloses such load transfer supports with radial walls.

Dependent claim 28 includes yet another limitation disclosed in neither Overaker nor Bowman. In particular, dependent claim 28 states that the plurality of load transfer supports “include a plurality of arcuate walls situated about said lower center bore.” Neither Overaker nor Bowman discloses such load transfer supports with arcuate walls.

IV. Conclusion

For all of the foregoing reasons, it is respectfully submitted the applicant has made a patentable contribution to the art. Favorable reconsideration and allowance of this application is, therefore, respectfully requested.

In the event applicant has inadvertently overlooked the need for an extension of time or payment of an additional fee, the applicant conditionally petitions therefore, and authorizes any fee deficiency to be charged to deposit account 13-0014.

Respectfully submitted,

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